

**NOTICE TO POTENTIAL CLASS MEMBERS**

**TO: All current or former family counselors and family advisors employed by StoneMor at any time between June 15, 2012 and the present.**

**RE: Right to join a collective action lawsuit seeking to recover unpaid overtime compensation.**

**1. THE PURPOSE OF THIS NOTICE IS TO:**

- Inform you of your rights to join a collective action lawsuit against StoneMor in which you are potentially “similarly situated” to the named Plaintiff;
- To advise you of how to participate should you choose to do so; and
- Advise you of how your rights under the Fair Labor Standards Act (“FLSA”) may be affected by this action.

**2. DESCRIPTION OF THE LAWSUIT:**

On November 14, 2014, Brandi Brodzenski filed a lawsuit/action against StoneMor to recover overtime compensation which she alleges is owed to her and other current and former StoneMor employees, liquidated damages, and attorneys’ fees and costs under the Fair Labor Standards Act (“FLSA”).

Ms. Brodzenski alleges that she and similarly-situated family counselors and family advisors were instructed to report fewer hours on their timesheets than they actually worked and were consequently denied overtime pay.

StoneMor has denied these charges. It asserts that StoneMor has complied with the law at all times and that it has paid its employees all of the compensation to which they are entitled under the law.

The right to recover these wages for any Plaintiff has not been established and is not guaranteed or certain. The judge supervising the lawsuit takes no position regarding the merits of the case.

**3. YOUR RIGHT TO PARTICIPATE IN THIS ACTION:**

If you were employed by StoneMor as a family counselor or family advisor at any time between June 15, 2012 and the present, you have a right to participate in this action.

**4. HOW TO PARTICIPATE IN THIS ACTION:**

If you choose to join this action, you must read, sign, and return the attached forms. You may return them by:

- a) mailing the signed forms in the self-addressed, postage-prepaid envelope; or
- b) texting a picture of the signed forms to: 216-395-4242; or
- c) e-mailing a copy of the signed forms to [classactions@crklaw.com](mailto:classactions@crklaw.com); or
- d) faxing the signed forms to 216-781-8061.

**The signed Forms must be received or postmarked by Monday, July 20, 2015.** It is important that you return the Forms as soon as possible because the time period for which you can seek payment will depend on when the Consent Form is filed with the Court. If you have any questions about the forms, you may contact Plaintiff’s at (216) 781-7956.

**5. NO RETALIATION PERMITTED:**

The law prohibits StoneMor from firing, harassing, discriminating, or retaliating against you for joining this action.

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**6. EFFECT OF JOINING THIS ACTION:**

If you choose to join this action, you will be bound by the Court's judgment, whether it is favorable or unfavorable. You will also be bound by, and share in, any settlement if one is reached on behalf of the class. By joining this action:

- You designate the lead Plaintiff as your agent to make decisions on your behalf concerning the litigation, and the method and manner of conducting the litigation;
- You become subject to the contingency fee agreement agreed to by the lead Plaintiff concerning attorneys' fees and costs, which states that if there is a recovery, costs expended by attorneys on your behalf will be deducted from your settlement or judgment. Plaintiff's counsel will request an award of reasonable attorneys' fees and costs to be paid by StoneMor on your behalf, which would be part of your total recovery. Fees retained by Plaintiff's counsel will be the greater of either the amount of attorneys' fees received from StoneMor or thirty-three and one-third percent (33-1/3%) of your total recovery. There will be no attorneys' fees or costs charged to you if there is no recovery in the case.
- You may be required to provide information and documents in discovery, appear for a deposition, and/or testify in court in Cleveland, Ohio.

**7. NO LEGAL EFFECT IN NOT JOINING THIS ACTION:**

If you choose not to join this action, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable to the class. You will not be entitled to share any amounts recovered by the class. You will be free to file your own lawsuit, however, the pendency of this action will not stop the running of the statute of limitations as to any claims you may have until you file your own lawsuit.

**8. YOUR LEGAL REPRESENTATION IF YOU JOIN:**

If you participate in this action, you will be represented by:

Jason R. Bristol, Esq., Joshua B. Fuchs, Esq., James B. Rosenthal, Esq.

**COHEN ROSENTHAL & KRAMER LLP**

700 West St. Clair Avenue, Suite 400

Cleveland, Ohio 44113

Phone: 216-781-7956; Fax: 216-781-8061

office@crklaw.com

**9. STONEMOR IS REPRESENTED BY:**

Anthony J. O'Malley  
**VORYS, SATER, SEYMOUR AND PEASE LLP**  
200 Public Square, Suite 1400  
Cleveland, Ohio 44114

Mark Blondman  
**BLANK ROME LLP**  
Watergate 600 New Hampshire Avenue NW  
Washington, DC 20037  
Phone: 202-772-5800; Fax: 202-572-1450  
blondman@blankrome.com

**10. FURTHER INFORMATION**

Further information about this Notice or the action may be obtained from Plaintiff's counsel at 216-781-7956. The call is free and confidential. You may also contact Defendants' counsel at 202-772-5850 to discuss the lawsuit.

**THIS NOTICE HAS BEEN AUTHORIZED BY JUDGE JAMES S. GWIN OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFF'S CLAIMS OR OF STONEMOR'S RESPECTIVE DEFENSES.**

**CONSENT TO JOIN**  
**FEDERAL FAIR LABOR STANDARDS ACT ACTION**

I hereby consent, agree, and opt-in to be a party Plaintiff in *Brodzinski v. StoneMor Partners, L.P., et al.*, N.D. Ohio Case No. 1:14-cv-2517, pursuant to the terms and conditions contained in the Notice I received with regard to that action. I agree to be represented by Cohen Rosenthal & Kramer LLP. I understand that by filing this consent, I will be bound by the judgment of the Court on all issues in this case.

\_\_\_\_\_  
Full Legal Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CONFIDENTIAL CLIENT INFORMATION SHEET**

**THIS INFORMATION IS FOR PLAINTIFF'S COUNSEL ONLY  
AND WILL NOT BE MADE PUBLIC.**

**Name:**

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**Address:**

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**Telephone Numbers:**

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**E-Mail:**

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